

# United States District Court

SOUTHERN

DISTRICT OF

TEXAS

UNITED STATES OF AMERICA

V.

## CRIMINAL COMPLAINT

- 1 Ignacio HUERTA-Franco., YOB: 1982 MXC
- 2 Jose Antonio JONGUITUD-Gonzalez, YOB: 1989 MXC
- 3 Julian TORRES-Pineda, YOB: 1993 MXC
- 4 Alejandro GONZALEZ-Miranda; YOB: 1993 MXC

United States District Court  
Southern District of Texas  
FILED

CASE NUMBER:

m-14-2102-m

OCT 30 2014

### Clerk of Court

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about 10/30/2014 in Starr county, in the Southern District of Texas defendant(s) did, (Track Statutory Language of Offense)

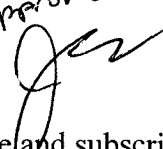
Knowingly and Intentionally possess with Intent to Distribute 349 kilograms or more of Marijuana, a Schedule I Controlled Substance.


Knowingly and Intentionally Conspire to possess with Intent to Distribute 349 kilograms or more of Marijuana, a Schedule I Controlled Substance

in violation of Title 21 United States Code, Section(s) 846, 841 (a) (1)

I further state that I am a(n) DEA Task Force Officer and that this complaint is based on the following facts: See Attachment "A".

Continued on the attached sheet and made a part of hereof: ☒ Yes ☐ No

Approved  


  
Signature of Complainant  
Carlos Mireles, DEA Task Force Officer

Sworn to before me and subscribed in my presence,

October 30, 2014

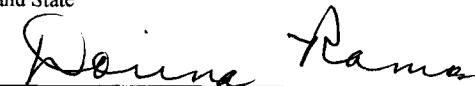
Date

At

McAllen, Texas

City and State

Dorina Ramos, US Magistrate Judge  
Name & Title of Judicial Officer

  
Signature of Judicial Officer

## ATTACHMENT "A"

On October 30, 2014, United States Border Patrol Agents, RGV BORTAC Operators, DEA FAST and SOG BORTAC were conduction line watch duties in an area known as Enron Gates along the Rio Grande River in the area of Rio Grande City, Texas. This is recognized as an area notorious for drug and alien smuggling. At approximately 2:00 am, USBP Alpha 5 provided information regarding possible narcotics activity in the area. Alpha 5 observed approximately 15 subjects on the U.S. riverbank south of the Big Bluff. The subjects were observed carrying what appeared to be narcotics bundles. Alpha 5 reported that a john boat had crossed the Rio Grande River and delivered several more bundles on the U.S. side of the river.

Alpha 5 maintained constant visual of the subjects as they stood along the river and then walked northbound from the river towards Enron Gate. The subjects were observed as they continued northbound through the brush towards Expressway 83. Alpha 5 then coordinated with USBP Agents Joe Brown, Brad Valencia, Stuart Baxter, Leo Torres, Eric Cavazos, and Chris Cavazos to interdict the subjects.

The Agents responded to the area and as they approached they were advised by Alpha 5 that the subjects had dumped the bundles and that they began to run south into the nearby brush. The responding agents conducted a search of the area with the assistance of Alpha 5 and were able to recover 14 bundles of compressed marijuana and apprehended four (4) subjects identified as Ignacio HUERTA-Franco, Julian TORRES-Pineda, Jose Antonio JONGUITUD-Gonzalez and Alejandro GONZALEZ-Miranda. Ignacio HUERTA-Franco was apprehended in the brush in close proximity to a narcotic bundle, approximately four (4) feet from the bundle.

HUERTA-Franco, TORRES-Pineda, JONGUITUD-Gonzalez, and GONZALEZ-Miranda, and the fourteen (14) bundles of suspected marijuana were transported to the Rio Grande City Border Patrol Station for processing.

Once at the Rio Grande City Border Patrol Station, the fourteen (14) bundles contained a green leafy substance wrapped in brown plastic cellophane tape. USBP Agents tested the green leafy substance and tested positive to the presence of marijuana. The fourteen (14) bundles had a total weight of approximately 349 kilograms.

On this same date, Task Force Officer's (TFO) Carlos Mireles, Ricardo Ruiz Jr., and Cosme Muniz, along with Special Agent Devron Williams with the Drug Enforcement Administration, were notified about the seizure. TFO Mireles, TFO Ruiz, TFO Muniz, and S/A Williams went to the Rio Grande City Border Patrol Station and made contact with HUERTA-Franco, TORRES-Pineda, JONGUITUD-Gonzalez, and GONZALEZ-Miranda. HUERTA-Franco, TORRES-Pineda, JONGUITUD-Gonzalez, and GONZALEZ-Miranda were all read their Miranda Warnings in Spanish by TFO Mireles, and TFO Ruiz. HUERTA-Franco, TORRES-Pineda, JONGUITUD-Gonzalez, and GONZALEZ-Miranda waived their rights and cooperated with TFO's Mireles and Ruiz. HUERTA-Franco, TORRES-Pineda, JONGUITUD-Gonzalez, and GONZALEZ-Miranda all claimed knowledge of the marijuana. HUERTA-Franco and JONGUITUD-Gonzalez claimed they carried a bundle of marijuana, seized by USBP Agents, in the United States. TORRES-Pineda claimed he unloaded a bundle of marijuana from the boat as it was in the United States. All three subjects claimed that they were forced to carry the marijuana bundles by armed men on the Mexican side of the river. HUERTA-Franco and JONGUITUD-Gonzalez claimed that all four subjects detained were each carried a bundle of marijuana to include GONZALEZ-Miranda. GONZALEZ-Miranda claimed that he did observe the marijuana on the boat as he was crossed into the United States, but claimed he only was carrying a back pack filled with food and water.

TFO Mireles charged HUERTA-Franco, TORRES-Pineda, JONGUITUD-Gonzalez and GONZALEZ-Miranda with Possession with Intent to Distribute approximately 349 kilograms of Marijuana and Conspiracy to Possess with the Intent to Distribute approximately 349 kilograms of Marijuana.